

1. Not all of these attendees have yet filed a written notice of appearance.

exceed the portion of the 50 MW that is unsubscribed as of January 1, 2012. Before making this standard offer available, the Board must notify potentially eligible plants known to it and publish broad public notice of the future availability of the standard offer. The notice also must direct that all potentially eligible plants shall file with the Board a statement of interest in the standard offer by a date to be no less than 30 days from the date of the notice.²

The parties agreed that the first step in the process should be the issuance of the notice to existing facilities. After the Board determines whether there is any interest by existing hydroelectric facilities and available capacity in the standard-offer program,³ we can establish a schedule.

Attached is the notice that the Board will issue today, requesting existing hydroelectric facilities to submit a statement of interest by November 15, 2011, if they seek to receive a standard offer. As was discussed at the prehearing conference, this notice will be posted to the Board's website. It will also be provided to the Rule 4.100 administrator (for distribution to potentially eligible plants that previously had contracts under Rule 4.100) and to the Vermont distribution utilities (for dissemination to potentially eligible plants with which such utilities interconnect or contract). A copy will also be sent to the Vermont Independent Power Producers Association.

So ORDERED.

2. For purposes of this standard-offer, "existing hydroelectric plant" "means a hydroelectric plant located in the state that was in service as of January 1, 2009 and does not, as of the effective date of this subdivision (2)(G), have an agreement with the public service board's purchasing agent for the purchase of its power pursuant to subdivision 209(a)(8) of this title and board rules adopted under that subdivision. The term includes hydroelectric plants that have never had such an agreement and hydroelectric plants for which such an agreement expired prior to the effective date of this subdivision (2)(G)."

3. As of this date, there is no unsubscribed capacity. It is possible that some capacity will become available by January 1, 2012.

Dated at Montpelier, Vermont, this 30th day of September, 2011.

s/Mary Jo Krolewski

Mary Jo Krolewski
Hearing Officer

s/George E. Young

George E. Young
Hearing Officer

OFFICE OF THE CLERK

FILED: September 30, 2011

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)